

## **REMARKS**

### 1. Present Status of Patent Application

This is a full and timely response to the outstanding final Office Action mailed December 8, 2006. Reconsideration and allowance of the application and presently pending claims are respectfully requested. The pending claims are believed to be allowable.

### 2. Response to Rejection of Claims under 35 U.S.C. § 112, Second Paragraph

Claims 1-2, 5-7, 9-11, 13-17, 33-34, 36, 39, 40-42, and 46-47 stand rejected under 35 U.S.C. § 112, Second Paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim subject matter in the claims. In particular, the language "operable" was objected to. Accordingly, the claims have been amended to replace the language "operable" with other language that should overcome the rejection. Therefore, withdrawal of the rejection is respectfully requested.

### 3. Response to Rejections of Claims under 35 U.S.C. § 103

In the Office Action, claims 1-9 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* (U.S. Patent No. 6,891,937) in view of *Burgess* (U.S. Patent Application Publication No. 2001/0051890). Claims 10-11, 14-17, 19-25, 27-30, and 33-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* in view of *Burgess* in further view of *Jones* (U.S. Patent No. 6,763,333). Claim 12 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* in view of *Burgess* in further view of *Doherty* (U.S. Patent No. 6,735,293). Claims 26 and 46-47 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kuhn* in view of *Burgess* in further view of *Jones* in further view of *Doherty*.

a. Claim 1

As provided in independent claim 1, Applicants claim:

A trouble ticket handling system, comprising:

login logic configured to log a user into a plurality of trouble ticket systems;

a monitoring device configured to poll the plurality of trouble ticket systems comprising a plurality of open trouble tickets; and

***user interface logic configured to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.***

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Kuhn* in view of *Burgess* does not disclose, teach, or suggest at least “user interface logic configured to enable the user to automatically load a proper trouble ticket from any of the plurality of open trouble tickets at the plurality of trouble ticket systems and assign the proper trouble ticket to the user, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest,” as recited and emphasized above in claim 1.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest “determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket,” as recited in claim 1.

Further, *Burgess* describes a productivity center that allocates jobs to associates based on the associates’ skill levels. See abstract. *Burgess* discloses that a scheduling algorithm is used to allocate the jobs. See para. 0088. Accordingly, an

exemplary mathematical algorithm is disclosed in *Burgess* that attempts to solve a “knapsack problem.” For a knapsack problem, there are costs associated with selection of an item and costs associated with not selecting an associate for a job (particularly if a particular associate is the best person for the job). In the exemplary mathematical algorithm shown in *Burgess*, such costs are described as a “penalties for not assigning an associate to a job.” By minimizing the penalty, the exemplary algorithm attempts to determine the best solution to the knapsack problem in *Burgess*. See para. 0089; see also para. 0012 (“In scheduling the job, the solution engine . . . determines the optimal assignment for that job”) and para. 0088 (“The solver 44B assigns as much work as possible to associates with the lowest allowable skill in order to preserve flexibility of the higher skilled associates”). This type of penalty, as disclosed in *Burgess*, is not analogous to a regulatory fine subject to being levied against a trouble ticket, as described in claim 1. Rather, as explained above, *Burgess* describes a cost or penalty associated with not assigning a task to one person (who might have a specialized skill in that area) in lieu of assigning the task to another person (who may not have any expertise in an area that may require specialized skill), for example.

As such, *Burgess* does not address, teach, or suggest a “determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket,” as recited in claim 1. Moreover, *Burgess* does not teach or suggest a “determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest,” as recited in claim 1.

Therefore, *Kuhn* in view of *Burgess* fails to teach or suggest all of the features of claim 1, and thus a *prima facie* case of obviousness has not been established. As a result, the rejection of claim 1 should be withdrawn.

#### b. Claims 2-17

Because independent claim 1 is allowable over the cited art of record, its dependent claims 2-9 and 13 are allowable as a matter of law, for at least the reason that the dependent claims contain all the features of independent claim 1. *In re Fine*, 837

F.2d 1071 (Fed. Cir. 1988). Further, the cited art of *Jones* and *Doherty* fails to cure the deficiencies of the *Kuhn* and *Burgess* references in suggesting or teaching all of the claimed features in claims 10-12 and 14-17 (which depend from independent claim 1). Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* with *Jones* or *Doherty* has not been made. Accordingly, the rejections of claims 2-17 should be withdrawn.

Additionally and notwithstanding the foregoing allowability of claims 2-17, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claim itself) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

c. Claim 19

As provided in independent claim 19, Applicants claim:

A method of assigning trouble tickets, comprising:  
periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center;  
sorting said at least one trouble ticket with a plurality of previously received trouble tickets;  
storing a plurality of sorted trouble tickets in a memory device;  
receiving a request for a trouble ticket from a technician at the support center; and  
***providing the technician with a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.***

(Emphasis added).

Applicants respectfully submit that independent claim 19 is allowable for at least the reason that *Kuhn* in view of *Burgess* in further view of *Jones* does not disclose, teach, or suggest at least the feature of “providing the technician with a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket

is chosen from the regulatory agency in which the regulatory fine is the largest," as recited and emphasized above in claim 19.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19.

Further, *Burgess* describes a productivity center that allocates jobs to associates based on the associates' skill levels. See abstract. *Burgess* discloses that a scheduling algorithm is used to allocate the jobs. See para. 0088. Accordingly, an exemplary mathematical algorithm is disclosed in *Burgess* that attempts to solve a "knapsack problem." For a knapsack problem, there are costs associated with selection of an item and costs associated with not selecting an associate for a job (particularly if a particular associate is the best person for the job). In the exemplary mathematical algorithm shown in *Burgess*, such costs are described as a "penalties for not assigning an associate to a job." By minimizing the penalty, the exemplary algorithm attempts to determine the best solution to the knapsack problem in *Burgess*. See para. 0089; see also para. 0012 ("In scheduling the job, the solution engine . . . determines the optimal assignment for that job") and para. 0088 ("The solver 44B assigns as much work as possible to associates with the lowest allowable skill in order to preserve flexibility of the higher skilled associates"). This type of penalty, as disclosed in *Burgess*, is not analogous to a regulatory fine subject to being levied against a trouble ticket, as described in claim 19.

As such, *Burgess* does not address, teach, or suggest a "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket," as recited in claim 19. Moreover, *Burgess* does not teach or suggest a "determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest," as recited in claim 19.

With regard to *Jones*, it describes systems and methods for monitoring trouble tickets that have not been resolved but is not directed towards assigning trouble tickets to a technician in the manner described above in claim 19.

Therefore, *Kuhn* in view of *Burgess* in further view of *Jones* fails to teach or suggest all of the features of claim 19. As a result, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* has not been made. Thus, the rejection of claim 19 should be withdrawn.

d. Claims 20-32

All of the claimed features of independent claim 19 are not taught and suggested by *Kuhn*, *Burgess*, and *Jones*, as previously discussed. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* has not been made. Therefore, the rejections of claims 20-25 and 27-30 should be withdrawn. Further, the cited art of *Doherty* fails to cure the deficiencies of the *Kuhn*, *Burgess*, and *Jones* references in suggesting or teaching all of the features in claim 26 (which depends from independent claim 19). Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* in further view of *Doherty* has not been made. Accordingly, the rejections of claim 26 should also be withdrawn.

e. Claim 33

As provided in independent claim 33, Applicants claim:

A computer readable medium having a program for assigning a trouble ticket to a responsible technician, the program having instructions to perform:

- periodically polling a plurality of trouble ticket systems for at least one trouble ticket associated with a support center;

- sorting said at least one trouble ticket with a plurality of previously received trouble tickets responsive to a tracking key and time stamp included with each of the trouble tickets;

- storing a plurality of sorted trouble tickets in a memory device;

- receiving a request for a trouble ticket from a technician at the support center; and

***assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest.***

(Emphasis added).

Applicants respectfully submit that independent claim 33 is allowable for at least the reason that *Kuhn* in view of *Burgess* in further view of *Jones* does not disclose, teach, or suggest at least the feature of “assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest,” as recited and emphasized above in claim 33.

For example, *Kuhn* describes a GUI interface that allows for access to multiple applications associated with telecommunication service data and information retrieval. *Kuhn* does not teach or suggest assigning trouble tickets to a technician in the manner described above. In particular, *Kuhn* fails to teach or suggest “assigning the technician to a proper trouble ticket from the plurality of sorted trouble tickets, determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket,” as recited in claim 33. With regard to *Jones*, it describes systems and methods for monitoring trouble tickets that have not been resolved but does not appear to be directed toward assigning trouble tickets to a technician in the manner described above in claim 33.

Further, *Burgess* describes a productivity center that allocates jobs to associates based on the associates’ skill levels. See abstract. *Burgess* discloses that a scheduling algorithm is used to allocate the jobs. See para. 0088. Accordingly, an exemplary mathematical algorithm is disclosed in *Burgess* that attempts to solve a “knapsack problem.” For a knapsack problem, there are costs associated with selection of an item and costs associated with not selecting an associate for a job (particularly if a particular associate is the best person for the job). In the exemplary mathematical

algorithm shown in *Burgess*, such costs are described as a “penalties for not assigning an associate to a job.” By minimizing the penalty, the exemplary algorithm attempts to determine the best solution to the knapsack problem in *Burgess*. See para. 0089; see also para. 0012 (“In scheduling the job, the solution engine . . . determines the optimal assignment for that job”) and para. 0088 (“The solver 44B assigns as much work as possible to associates with the lowest allowable skill in order to preserve flexibility of the higher skilled associates”). This type of penalty, as disclosed in *Burgess*, is not analogous to a regulatory fine subject to being levied against a trouble ticket, as described in claim 33.

As such, *Burgess* does not address, teach, or suggest a “determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket,” as recited in claim 33. Moreover, *Burgess* does not teach or suggest a “determination of the proper trouble ticket being based upon regulatory fines that are subject to being levied against the proper trouble ticket from different regulatory agencies, wherein the proper trouble ticket is chosen from the regulatory agency in which the regulatory fine is the largest,” as recited in claim 33. With regard to *Jones*, it describes systems and methods for monitoring trouble tickets that have not been resolved but is not directed towards assigning trouble tickets to a technician in the manner described above in claim 33.

Therefore, *Kuhn* in view of *Burgess* in further view of *Jones* fails to teach or suggest all of the features of claim 33. Accordingly, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* has not been made. Thus, the rejection of claim 33 should be withdrawn.

e. Claims 34-47

All of the claimed features of independent claim 33 are not taught and suggested by *Kuhn*, *Burgess*, and *Jones*, as previously discussed. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* has not been made, and the rejections of claims 34-42 should be withdrawn. Further, the cited art of *Doherty* fails to cure the deficiencies of the



*Kuhn*, *Burgess*, and *Jones* references in suggesting or teaching all of the features in claims 46-47 (which depends from independent claim 33). Accordingly, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Kuhn* in view of *Burgess* in further view of *Jones* in further view of *Doherty* has not been made. Therefore, the rejections of claims 46-47 should also be withdrawn.

### **CONCLUSION**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. In addition, Applicants reserve the right to address any comments made in the Office Action that were not specifically addressed herein. Thus, such comments should not be deemed admitted by the Applicants. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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